

A-1886

Tree Removal Appeal

Removal of one 30.0-inch diameter Catalpa tree  
located in the south (rear) yard of the property (on the  
shared property line).

Mr. & Mrs. Thomas H. Boggs, Jr.

6 East Kirke Street

&

Ms. Kate Clark

4 East Kirke Street

## 4/6 East Kirke Street



Figure 1: View of Catalpa tree (marked with pink ribbon) overhanging fence.



Figure 2: Catalpa tree in the south (rear) yard straddling the property line of 4 & 6 East Kirkse Street.

**CHEVY CHASE VILLAGE  
NOTICE OF PUBLIC HEARING**

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Please take notice that the Chevy Chase Village Board of Managers will hold a public hearing on the 11<sup>th</sup> day of April, 2011 at 7:30 p.m. The hearing will be held at the Chevy Chase Village Hall at 5906 Connecticut Avenue in Chevy Chase, Maryland.

**APPEAL NUMBER A-1886  
MR. & MRS. THOMAS H. BOGGS, JR.  
6 EAST KIRKE STREET  
MS. KATE CLARK  
4 EAST KIRKE STREET  
CHEVY CHASE, MARYLAND 20815**

The applicants have filed an appeal pursuant to Section 17-4 (b) of the Chevy Chase Village Urban Forest Code to remove one 30.0-inch diameter Catalpa tree located in the rear (south) yard (on the shared property line).

**The Chevy Chase Village Code § 17-4 (b) states:**

The Board of Managers shall have the authority to permit the removal or destruction of a tree or the undertaking of any action that will substantially impair the health or growth of a tree if, after a public hearing, the Board finds that such removal, destruction or other action will not adversely affect the public health, safety or welfare, nor the reasonable use of adjoining properties and can be permitted without substantial impairment of the purpose and intent of this chapter.

Additional information regarding this appeal may be obtained at the Chevy Chase Village Office between the hours of 9:00 a.m. and 5:00 p.m. Monday through Friday, may be viewed on the Village website at [www.chevychasevillagemd.gov](http://www.chevychasevillagemd.gov) or you may contact the office for this information to be mailed to you.

This notice was mailed to abutting property owners on the 1<sup>st</sup> day of April, 2011.

**Chevy Chase Village Office  
5906 Connecticut Avenue  
Chevy Chase, Maryland 20815  
301-654-7300**

**MAILING LIST FOR APPEAL A-1886**

**MR. AND MRS. THOMAS H. BOGGS**  
**6 EAST KIRKE STREET**  
**CHEVY CHASE, MARYLAND 20815**

**MS. KATE CLARK**  
**4 EAST KIRKE STREET**  
**CHEVY CHASE, MD 20815**

<b>Adjoining and confronting property owners</b>	
Mr. Keith Martin & Ms. Leslie Zimberg Or Current Resident 3 East Kirke Street Chevy Chase, MD 20815	Mr. & Mrs. Richard Mayfield Or Current Resident 5 East Kirke Street Chevy Chase, MD 20815
Mr. Richard Vandoren Or Current Resident 7 East Irving Street Chevy Chase, MD 20815	Mr. and Mrs. J. Byrne Murphy Or Current Resident 10 East Kirke Street Chevy Chase, MD 20815
Mr. & Mrs. Paul Brian Connolly Or Current Resident 1A East Irving Street Chevy Chase, MD 20815	Mr. Stuart Gerson & Mrs. Pamela Somers Or Current Resident 3 East Irving Street Chevy Chase, MD 20815
Mr. and Mrs. Patrick Dorton Or Current Resident 5 East Irving Street Chevy Chase, MD 20815	Mr. & Mrs. Donald Wolf Or Current Resident 1 East Kirke Street Chevy Chase, MD 20815
Mr. & Mrs. Jud Parmer Or Current Resident 7 East Kirke Street Chevy Chase, MD 20815	

I hereby certify that a public notice was mailed to the aforementioned property owners on the 1<sup>st</sup> day of April, 2011.



**Ellen Sands**  
**Permitting and Code Enforcement Coordinator**  
**Chevy Chase Village**  
**5906 Connecticut Avenue**  
**Chevy Chase, MD 20815**



# CHEVY CHASE VILLAGE

ESTABLISHED 1890

April 1, 2011

Ms. Kate Clark  
4 East Kirke Street  
Chevy Chase, MD 20815

Dear Ms. Clark:

Please note that your appeal to remove one Catalpa tree located in the south (rear) yard of your property is scheduled before the Board of Managers on Monday, April 11, 2011 at 7:30 p.m.

Either you or another representative must be in attendance to present your case. At that time, additional documents may be introduced and testimony can be provided in support of your request.

Please note that because your property is located in the Chevy Chase Village Historic District, should the Board approve your request you will need to obtain a Historic Area Work Permit from the Historic Preservation Commission for the removal of the tree before the Village's Tree Removal Permit will be issued. Both permits must be obtained prior to the removal of the subject tree. Also, please be aware that as a condition of approval, the Chevy Chase Village Board of Managers routinely requires at least a one-for-one reforestation of a hardwood deciduous tree of a species that achieves a mature height of at least 45 feet and that must be a minimum of 2 1/2" caliper at the time of installation. This reforestation requirement can be accommodated where appropriate on the property.

For your convenience, enclosed please find copies of the Public Hearing Notices and mailing list. Please contact the Village office in advance if you will be unable to attend.

Sincerely,



Ellen Sands  
Permitting and Code Enforcement Coordinator  
Chevy Chase Village

Enclosures

## CHEVY CHASE VILLAGE

5906 Connecticut Avenue  
Chevy Chase, Maryland 20815  
Phone (301) 654-7300  
Fax (301) 907-9721  
ccv@montgomerycountymd.gov  
www.chevychasevillagemd.gov

SHANA R. DAVIS-COOK  
*Village Manager*

DAVID R. PODOLSKY  
*Legal Counsel*

## BOARD OF MANAGERS

DAVID L. WINSTEAD  
*Chair*

PETER T. KILBORN  
*Vice Chair*

PETER M. YEO  
*Secretary*

ALLISON W. SHUREN  
*Assistant Secretary*

GAIL S. FELDMAN  
*Treasurer*

LAWRENCE C. HEILMAN  
*Assistant Treasurer*

PATRICIA S. BAPTISTE  
*Board Member*

# CHEVY CHASE VILLAGE

ESTABLISHED 1890

April 1, 2011

Mr. and Mrs. Thomas Boggs  
6 East Kirke Street  
Chevy Chase, MD 20815

Dear Mr. and Mrs. Boggs:

Please note that your appeal to remove one Catalpa tree located in the south (rear) yard of your property is scheduled before the Board of Managers on Monday, April 11, 2011 at 7:30 p.m.

Either you or another representative must be in attendance to present your case. At that time, additional documents may be introduced and testimony can be provided in support of your request.

Please note that because your property is located in the Chevy Chase Village Historic District, should the Board approve your request you will need to obtain a Historic Area Work Permit from the Historic Preservation Commission for the removal of the tree before the Village's Tree Removal Permit will be issued. Both permits must be obtained prior to the removal of the subject tree. Also, please be aware that as a condition of approval, the Chevy Chase Village Board of Managers routinely requires at least a one-for-one reforestation of a hardwood deciduous tree of a species that achieves a mature height of at least 45 feet and that must be a minimum of 2 1/2" caliper at the time of installation. This reforestation requirement can be accommodated where appropriate on the property.

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Sincerely,



Ellen Sands  
Permitting and Code Enforcement Coordinator  
Chevy Chase Village

Enclosures

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*Board Member*

Chevy Chase Village

# Statement of Appeal for Tree Removal Permit

<b>Subject Property:</b> <u>4 E Kurke St</u>	
<b>Briefly Describe the Proposed Tree Removal</b> (provide additional detail on following pages): <u>removal of catalpa tree</u>	
<b>Applicant Name(s) ( List all property owners):</b> <u>Kate Clark</u>	
<b>Daytime telephone:</b> <u>301/652-0974</u>	<b>Cell:</b>
<b>E-mail:</b>	
<b>Address (if different from property address):</b>	
<b>For Village staff use:</b>	
<b>Date this form received:</b> _____	<b>Tree Removal Permit Appeal No:</b> _____

## Filing Requirements:

(Application will not be accepted or reviewed until the application is complete.)

- ☒ Completed *Chevy Chase Village Statement of Appeal for Tree Removal Permit* (this form)
- ☒ Denied *Chevy Chase Village Tree Removal Permit Application*
- ☒ *Chevy Chase Village Tree Inspection Report* from Village Arborist
- ☒ Surveys, plats, landscaping plans/specifications, or other accurate drawings showing boundaries, dimensions, and area of the property, as well as the location and dimensions of all structures/fences/walls/etc. and the tree(s) sought to be removed.
- ☒ Appeal fee (See fee schedule in Chapter 6 of the Village Code).

## Affidavit

I hereby certify that I have the authority to submit the foregoing appeal, that all owners of the property have signed below, that I have read and understand all requirements and that I or an authorized representative will appear at the scheduled public hearing in this matter. I hereby authorize the Village Manager, or the Manager's designee, the Board of Managers, and members of the Village Tree Committee, to enter onto the subject property for the purposes of assessing the site in relation to this appeal. I hereby declare and affirm, under penalty of perjury, that all matters and facts set forth in the foregoing statement are true and correct to the best of my knowledge, information and belief.

**Applicant's Signature:** Kate Clark

**Date:** March 31, 2011

**Applicant's Signature:** \_\_\_\_\_

**Date:** \_\_\_\_\_

# Chevy Chase Village

## Statement of Appeal for Tree Removal Permit

Subject Property:	6 E Kirke ST <del>1A E IRVING ST</del> <del>3 E IRVING ST</del>	4 E KIRKE ST
Briefly Describe the Proposed Tree Removal (provide additional detail on following pages): Catalpa tree trunk begins on 6 E Kirke St property but leans over 1A E IRVING and branches grow over 1A and 3 E IRVING ST		
Applicant Name(s) ( List all property owners): Barbara Boggs 6 E Kirke ST Pam Somers Jeri Connolly 1A E IRVING ST 3 E IRVING ST		
Daytime telephone:	SOMERS 301/657-8743	Cell: SOMERS 301/452-8519
E-mail:	TAWANDA 657-8743	
Address (if different from property address):		
For Village staff use:		
Date this form received:	3/21/11	Tree Removal Permit Appeal No: A-1886

### Filing Requirements:

(Application will not be accepted or reviewed until the application is complete.)

- ☐ Completed Chevy Chase Village Statement of Appeal for Tree Removal Permit (this form)
- ☐ Denied Chevy Chase Village Tree Removal Permit Application
- ☐ Chevy Chase Village Tree Inspection Report from Village Arborist
- ☐ Surveys, plats, landscaping plans/specifications, or other accurate drawings showing boundaries, dimensions, and area of the property, as well as the location and dimensions of all structures/fences/walls/etc. and the tree(s) sought to be removed.
- ☐ Appeal fee (See fee schedule in Chapter 6 of the Village Code).

### Affidavit

I hereby certify that I have the authority to submit the foregoing appeal, that all owners of the property have signed below, that I have read and understand all requirements and that I or an authorized representative will appear at the scheduled public hearing in this matter. I hereby authorize the Village Manager, or the Manager's designee, the Board of Managers, and members of the Village Tree Committee, to enter onto the subject property for the purposes of assessing the site in relation to this appeal. I hereby declare and affirm, under penalty of perjury, that all matters and facts set forth in the foregoing statement are true and correct to the best of my knowledge, information and belief.

Applicant's Signature: Barbara Boggs Date: 3/20/11

Applicant's Signature: Pam Somers Date: 3/20/11

[Signature] 4/2/11 Page | 1 of 3



**Describe the basis for the appeal** (attach additional pages as needed)

Describe the reasons why the tree removal would not adversely affect the public health, safety or welfare nor the reasonable use of adjoining properties:

The Catalpa tree affects 3 properties and all 3 property owners seek to have tree removed. The tree can be removed by moving a portion of the fence on 1A E Irving St and all work done through access by 1A E Irving

Describe the reasons why the tree removal would not substantially impair the intent and purpose of Chapter 17 of the Chevy Chase Village Code, entitled *Urban Forest*:

please see attached letter

Describe whether the tree exhibits any of the following criteria: (i) is diseased beyond restoration, insect infested beyond restoration, or injured beyond restoration; (ii) is dead or dying, or in danger of falling; (iii) constitutes a hazard to the safety of persons; (iv) constitutes a hazard to the safety of property; (v) constitutes a hazard and threatens injury to, or would have a negative effect on the health of other trees; (vi) is injurious to or creates a condition injurious to the health of a person, certified to by a qualified medical practitioner:

Describe the reasons for wanting to remove or destroy the tree(s):

overhanging branches cannot be trimmed back to where tree originates w/o killing tree

Describe the reasons, if any, cited by residents who are either in favor of or in opposition to the issuance of the requested tree removal permit:

Catalpas are very messy trees, not well suited for small gardens

If the desired tree clearing is necessary to achieve proposed development, construction or land use otherwise permitted under the Village Code, describe the proposed project and/or land use and any reason(s) why there is no reasonable alternative to the tree removal:



Describe any proposed reforestation and whether the proposed reforestation includes any trees that meet the Village standards for reforestation (i.e., deciduous hardwood trees that are least 2 ½ inches in caliper at the time of installation and of a species that achieves a mature height of at least 45 feet):

There is a large evergreen tree near catalpa tree that would cause any replacement tree to grow at similar severe angle catalpa grows. Back yards and front yards of 1A and 3 E Drive are small and  
Describe any hardship that would result if the requested tree removal is denied: already have trees

cleaning up bean pods, leaves and flower petals from this tree is practically year round activity and most work has to be done weekly, by hand

Describe the reasons why preserving the tree(s) is not desirable because of the age, size or outstanding qualities, including uniqueness, rarity or species specimen, of the tree(s):

tree drops bean pods, large leaves and flower petals which are a major nuisance for a small garden

Describe any other relevant matters that you believe would promote fairness and justice in deciding this appeal:

tree branches only grow onto neighbors' yards, and they cannot trim tree to reduce impact of tree. Impact of catalpa is significant in a small garden

In authorizing a Tree Removal Permit as a result of this appeal, the Chevy Chase Village Board of Managers may require such conditions, terms or restrictions as it deems necessary in order to protect the public, health, safety or welfare, the reasonable use of adjoining properties and that will substantially effectuate the purpose and intent of Chapter 17 of the Chevy Chase Village Code.

<b>Appeal Fee: \$250.00</b>	<b>Checks Payable To:</b> <b>Chevy Chase Village</b> <b>5906 Connecticut Ave.</b> <b>Chevy Chase, MD 20815</b>
<b>Fee Paid:</b> 250.00 <b>Date Paid:</b> 3/21/11	<b>Staff Signature:</b> <i>Ellen Sand</i> <b>Date:</b> 3/21/11

**Chevy Chase Village**  
**Website Posting Notice**  
**for Appeal, Special Permit & Variance Hearings**

Case Number: A-1886

Hearing Date: April 11, 2011

By signing below, I acknowledge as the applicant/appellant in the above-referenced case number that all supporting information and documentation for my case will be posted on the Village's website at <www.chevychasevillagemd.gov> for review by the general public.


Applicant/Appellant Name: Barbara Boggs

Address: 6 East Kirke St

Telephone: 301/654-6463

E-mail:

Applicant/Appellant Signature:

②   
① Barbara Boggs

Agent Name for applicant/appellant (if necessary):

Telephone:

Address:

E-mail:

Signature of agent:

Village staff initials: GB

Date: 3/21/11

# Chevy Chase Village Tree Removal Permit Application

Permit No. A-1886

All trees on private property with trunks that measure at least twenty-four (24) inches in circumference (or 7.7 inches in diameter) at four and one-half (4½) feet above ground level require a Village permit to be removed.

Property Address: <u>A/G E KIRKE ST</u>	
Resident: <u>BARBARA BOGGS</u>	
Telephone: <u>301/654-6463</u>	
E-mail:	
Tree Removal Contractor (required):	
Business Name: <u>Tree Man, Inc</u>	
Owner: <u>Manny Pelano</u>	
Address: <u>4710 Bartram St</u> <u>Rockville, MD 20853</u>	
Telephone: <u>240/353-0444</u>	Fax: <u>301/942-8777</u>
E-mail: <u>treemaninc@gmail.com</u>	
MD Dept. of Natural Resources (DNR) License No. (required): <u>#1590</u> <u>MA-4848A</u>	
For Village office staff use:	
Is this property located within the historic district? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Staff initials <u>ES</u>	
Date application submitted to Village Office: <u>3/18/11</u> Date approved or denied: <u>3/28/11</u>	

## Village Code Chapter 17. Urban Forest §17-1 and 17-2. Permit Required.

"No person shall remove or destroy, or cause the removal or destruction, of a tree or undertake any action that will substantially impair the health or growth of a tree without first obtaining a permit from the Village Manager. No permit shall be required for normal and reasonable trimming or other tree care designed to maintain the health, shape, or balance of a tree."

### Village Code §17-3. Permit Standards.

The Village Manager may issue a permit only if at least one (1) of the following conditions applies:

- The tree is diseased beyond restoration, insect infested beyond restoration, or injured beyond restoration;
- The tree is dead or dying, or is in danger of falling;
- The tree constitutes a hazard to the safety of persons;
- The tree constitutes a hazard and threatens injury to property;
- The tree constitutes a hazard and threatens injury to, or would have a negative effect on the health of other trees;
- The tree is injurious to or creates a condition injurious to the health of a person, certified to by a qualified medical practitioner.

An applicant who is denied a tree removal permit by the Village Manager may appeal that decision to the Board of Managers. Any appeal must be in writing and made within ten (10) days of the permit denial.



## Filing Requirements

- Copy of the findings and recommendations report from the Village Arborist.
- This completed application, including the tree contractor's name, phone number and MD-DNR License No.
- Payment of \$50.00 per tree filing fee for a Village Tree Removal Permit application, up to a max. of \$350.

By signing below, I understand that no work may be performed until the Village permit is issued and posted to be visible from the street.

Applicant's Signature: Barbara Boggs Date: 3/8/11

Tree Removal Plans (including reforestation plan, if any)	
Reforestation does not work in this instance space where tree currently sits is too shady and causes tree to grow at steep angle. The adjoining yards are too small to accomodate a large tree	

For Use By Village Manager	Approved with the following conditions:

<div style="border: 2px solid black; padding: 5px; text-align: center;"> <b>D E N I E D</b>                  MAR 29 2011                  (Chevy Chase Village Manager)             </div>	Denied for the following reasons: The Village arborist assessed the tree on 3/1/11 and found it to be healthy.
--	---

<b>Filing Fee:</b>  $\$50.00/\text{tree} \times \underline{1} \text{ trees} =$ $\$ \underline{50.00}$ (up to \$350 max. per application)	<b>Checks Payable to:</b>  Chevy Chase Village 5906 Connecticut Avenue Chevy Chase, MD 20815
<b>Damage Deposit</b>  <input type="checkbox"/> \$ _____ <input type="checkbox"/> Waived by Village Manager.	<b>Staff Signature:</b>  Date:
<b>Total Fees + Deposit:</b>  $\underline{50.00}$	<b>Staff Signature:</b> <u>[Signature]</u> <b>Date:</b> <u>3/28/11</u>

Chevy Chase Village

# Tree Inspection Request Form

Property Address:	3 E. Irving (for 6 E. Kivke)
Date this form submitted to Village office:	2/24/11
Resident Name:	Pamela Somers
Phone:	657-8743
E-mail:	
This request initiated by:	<input type="checkbox"/> Village office staff. <input checked="" type="checkbox"/> Resident/property owner
<input checked="" type="checkbox"/> Inspect tree(s) <sup>1</sup> requested for removal -- are any conditions in CCV Code Sec. 17-3(a) met? [\$50/tree fee] <input type="checkbox"/> Inspect trees <sup>1</sup> on property to determine if a Tree Protection Plan (TPP) is needed for proposed project <sup>2</sup> . <input type="checkbox"/> Pursuant to a Village Bldg Permit application <sup>2</sup> , prepare TPP for trees <sup>1</sup> on property [\$250 fee] <input type="checkbox"/> Verify that a TPP has been implemented for Village Building Permit # _____. <input type="checkbox"/> Follow up on an existing TPP -- is it OK to remove TPP? <input type="checkbox"/> Village right-of-way/park <input type="checkbox"/> Other: _____	
<sup>1</sup> Show location of tree(s) on a plat or site plan (or on diagram on reverse, but only if plat unavailable). <sup>2</sup> Attach full description of proposed project.	

Sections below must be completed by Village Arborist:

**Tree #1:** ☒ Private Property ☐ Village right-of-way *on neighbor's prop (6 E Kivke)*  
 Location: ☐ Rear ☐ Front ☐ Side-L ☐ Side-R *Catalpa*  
 DBH\* = 30.0 Species: Catalpa tree Tag#: \_\_\_\_\_ ☐ n/a: no tag.  
 Assessment: Tree is healthy. Growing next to neighbor's garage. Seem healthy, but neighbor's yard

**Tree #2:** ☒ Private Property ☐ Village right-of-way  
 Location: ☐ Rear ☐ Front ☐ Side-L ☒ Side-R  
 DBH\* = \_\_\_\_\_ Species: \_\_\_\_\_ Tag#: \_\_\_\_\_ ☐ n/a: no tag.  
 Assessment: \_\_\_\_\_

**Tree #3:** ☐ Private Property ☐ Village right-of-way  
 Location: ☐ Rear ☐ Front ☐ Side-L ☐ Side-R  
 DBH\* = \_\_\_\_\_ Species: \_\_\_\_\_ Tag#: \_\_\_\_\_ ☐ n/a: no tag.  
 Assessment: \_\_\_\_\_

(For more trees, please check here ☐ and attach pages: # of extra trees \_\_\_\_; # of extra pages \_\_\_\_.)

**Arborist assessment: Does tree meet any of the conditions in Village Code 17-3 to qualify for removal?**

Removal Approved	Denied	*Is permit required? (i.e., is trunk circumf. $\geq 24$ "?)	Y	N
Tree #1 <input type="checkbox"/>	<input checked="" type="checkbox"/>	Tree #1	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Tree #2 <input type="checkbox"/>	<input type="checkbox"/>	Tree #2	<input type="checkbox"/>	<input type="checkbox"/>
Tree #3 <input type="checkbox"/>	<input type="checkbox"/>	Tree #3	<input type="checkbox"/>	<input type="checkbox"/>

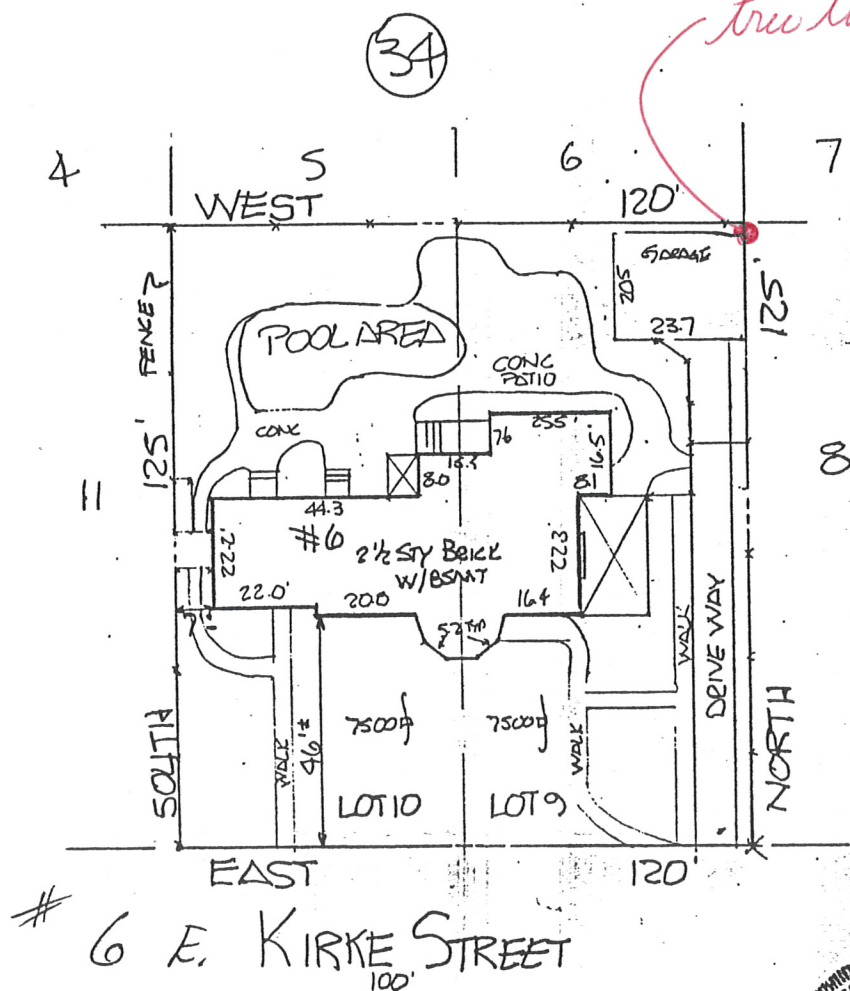
Arborist Signature

*[Signature]*

Date 3-1-11



NOTE: The lot shown herein does not lie within the limits of the 100 year flood plain as shown on FIRM Panel No. NOT INCLUDED



#### SURVEYOR'S CERTIFICATE

I hereby certify that the position of all existing improvements on the above described property has been carefully established by a transit-tape survey; and that, unless otherwise shown, there are no encroachments. Unless otherwise shown, corners have not been set with this survey. This survey is not to be used to determine property lines.

Michael J. Bazis PLS#263

IMPROVEMENT LOCATION SURVEY  
LOTS 9 & 10 BLOCK 34  
SECTION N° 2  
CHEVY CHASE  
MONTGOMERY COUNTY, MD.

JOB# 87.64614	DATE 5-11-87	R.C. KELLY & ASSOCIATES, INC. LAND SURVEYORS 10111 COLESVILLE ROAD SUITE 123 SILVER SPRING, MD 20901 593-8005
FIELD GSC	DRAFT BCK	
	P.B. 2 P# 196	
	SCALE: 1" = 30'	

March 8, 2011

Chevy Chase Village  
Board of Managers  
5906 Connecticut Avenue  
Chevy Chase, Maryland 20815

To Whom It May Concern:

We, the undersigned, request an appeal of the decision of the Chevy Chase Village arborist, and a permit for the removal of the Catalpa tree located on the property of 6 East Kirke St, but with branches overhanging the properties of 1A and 3 East Irving Street. As the arborist described, all of the branches overhang the East Irving St properties, so the tree cannot be trimmed back to the property line of 6 E Kirke St. without killing it. Consequently, our only recourse is to request permission to remove the entire tree.

We love trees, but this Catalpa tree strains even the most avid tree lovers' affections. It's most obnoxious trait is the dropping of 8" to 10" long bean pods pretty much year round, and there are thousands of these bean pods. At least once a week a large bucket full of pods has to be picked up by hand, not an easy task with middle aged knees and backs.

The 2nd obnoxious trait is the size of the Catalpa's leaves. They are huge and when they drop in the fall, they curl up in the shrubs and have to be picked out by hand. This is a large tree and consequently, there is a lot of effort expended freeing these leaves from shrubbery.

The third obnoxious trait is the flowers. Yes, they are beautiful for the week in May that they bloom, but then the petals drop, turn brown, and then have to be scraped off the Hostas and other decorative plants.

The final insult inflicted by this tree is the unsightly 45% angle at which it grows, giving the impression that it may fall over and crush anything or anyone in it's path.

We appreciate the efforts of Village leaders to protect our treescape. The healthy number of trees in the Village helps create the atmosphere that led all of us to make our homes here. We fully support a healthy treescape. In fact, when the Gersons moved into 3 E Irving St, over 25 years ago, there were no trees on the property! Since then 2 pin oaks, 2 dog woods, 4 arborvitae, 2 crape myrtles, and 2 holly trees have been planted.

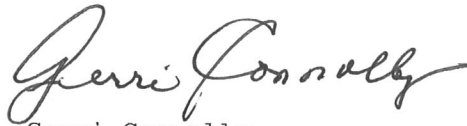
We recognize that the Catalpa tree can be an attractive tree, but it is best suited for a large area and not appropriate for the small garden area predominant with Village houses. In a small garden, the drawbacks of the Catalpa are magnified to the point that the tree should be considered an undesirable tree.

The removal of a tree cannot be taken lightly; however, the nuisance factor of a tree should be given great consideration. The neighbor whose property the tree is rooted in, and the 2 neighbors whose properties the branches overhang are all agreed that the nuisance factor of this tree is so significant that we feel compelled to take this step of requesting Board action to allow us to remove the tree.

Thank you for your consideration,



Pam Somers  
3 E. Irving St.



Gerri Connolly  
1A E. Irving St.



Barbara Boggs  
6 E. Kirke St